

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**July 26, 2010**

DIVISION TWO

B215446 People v. Esparza (Not for Publication)

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The judgment is affirmed.

Boren, P.J.

We concur: Ashmann-Gerst, J.  
Chavez, J.

B220416      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
D.R., et al.

The judgment is affirmed.

Boren, P.J.

We concur:   Doi Todd, J.  
                      Chavez, J.

DIVISION THREE

Court convened at 9:37 a.m.

Present: Klein, P.J., Croskey, J., Kitching, J. and Valorie Gray, Deputy Clerk.

### DIVISION THREE (continued)

B221763      Los Angeles County, D.C.F.S.  
v.  
E.D.

Merits:

Argued by Roland Koncan for appellant and by Melinda White-Svec, deputy county counsel for respondent. Cause submitted.

Court recessed.

Court reconvened at 10:00 a.m.

B220469      MacKay, et al.  
v.  
Superior Court, Los Angeles County  
(21st Century Insurance Company)

Merits:

Argued by Drew Pomerance for petitioners and by Kent Keller for real party in interest. Cause submitted.

Court adjourned.

[illegible]

The judgment is modified to reflect that Wilson's sentence on count 1, conspiracy, is stayed pursuant to Penal Code section 654. The clerk of the superior court is directed to prepare a corrected abstract of judgment and forward it to the Department of Corrections. In all other respects, the judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.  
Kitching, J.

### DIVISION THREE (continued)

B216862 People (Not for Publication)  
v.  
Hargett

The abstract of judgment is modified to reflect that the 25-years-to-life enhancement is imposed pursuant to Penal Code section 12022.53, subdivision (d), rather than subdivision (b), and that the Penal Code section 12022.53, subdivision (b) enhancement is stayed. The judgment is modified to award Hargett 366 days of custody credit and no days of local conduct credit, for a total of 366 days precommitment credit. The clerk of the superior court is directed to prepare an amended abstract of judgment reflecting these corrections and to forward a copy to the Department of Corrections. In all other respects, the judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.  
Kitching, J.

[illegible]

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.  
Croskey, J.

DIVISION FOUR

B209129      Dolzhenko      (Not for Publication)

v.

Valley Temps, Inc.

The judgment is affirmed. Respondent(s) to recover costs.

Willhite, J.

We concur:   Epstein, P.J.  
                     Suzukawa, J.

B217827      Avedon, et al.      (Certified for Publication)

v.

State of California

The judgment is affirmed. Respondent(s) to recover costs.

Epstein, P.J.

We concur:   Manella, J.  
                     Suzukawa, J.

B218439      People      (Not for Publication)

v.

Graham

The judgment is affirmed.

Willhite, Acting P.J.

We concur:   Manella, J.  
                     Suzukawa, J.

July 26, 2010 (Continued)

## DIVISION FOUR (continued)

B222293      People      (Not for Publication)  
v.  
Switt

The judgment is affirmed.

Manella, J.

We concur: Epstein, P.J.  
Willhite, J.

B217455 People (Not for Publication)  
v.  
Johnson

The appeal is dismissed.

Epstein, P.J.

We concur: Willhite, J.  
Manella, J.

B221776      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Bret D.

The order terminating father's parental rights is affirmed.

Manella, J.

We concur: Willhite, Acting P.J.  
Suzukawa, J.

DIVISION FOUR (continued)

B217567      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Christian E., Sr.

The order challenged on appeal is affirmed.

Willhite, J.

We concur:   Epstein, P.J.  
                     Suzukawa, J.

B220037      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Benjamin R., et al.

The order of October 29, 2009, is affirmed.

Willhite, J.

We concur:   Epstein, P.J.  
                     Suzukawa, J.

B213151      White      (Not for Publication)  
v.  
Diehl, M.D.

The judgment is affirmed. Respondent(s) to recover costs.

Willhite, J.

We concur:   Epstein, P.J.  
                     Suzukawa, J.

## DIVISION FIVE

B216151 People (Not for Publication)  
v.  
Dara Allen

The one-year enhancement imposed pursuant to section 667.5, subdivision (b) is ordered stricken. Appellant's sentence is recalculated to 32 years. The judgment is affirmed in all other respects.

Armstrong, J.

We concur:   Turner, P.J.  
                      Mosk, J.

B218092      People                          (Not for Publication)  
v.  
J.S.

The judgment is affirmed.

Armstrong, Acting P.J.

We concur: Mosk, J.  
Kriegler, J.

B218156 Roco Investment Holding, LLC  
v.  
PWS, Inc.

Filed order denying petition for rehearing.

B220008      Mary Altmann  
v.  
City of Agoura Hills

Filed order denying petition for rehearing.

DIVISION SIX

B219205      People                      (Not for Publication)  
                 v.  
                 David Lee McManus

The judgment is affirmed.

Gilbert, P.J.

We concur:    Yegan, J.  
                 Perren, J.

B218763      People                      (Not for Publication)  
                 v.  
                 Serrano

We modify the judgment to reflect an award of 583 days of presentence custody credit and order correction of the abstract of judgment, but otherwise affirm.

Gilbert, P.J.

We concur:    Yegan, J.  
                 Coffee, J.

B220249      People                      (Not for Publication)  
                 v.  
                 Urqhart

The judgment is affirmed.

Gilbert, P.J.

We concur:    Yegan, J.  
                 Coffee, J.



July 26, 2010 (Continued)

DIVISION SIX (continued)

B216869      People                      (Not for Publication)  
                 v.  
                 Hookfin

The judgment is affirmed.

Yegan, Acting P.J.

We concur:    Coffee, J.  
                 Perren, J.

B215748      People                      (Not for Publication)  
                 v.  
                 Ramirez

The judgment is affirmed.

Coffee, J.

We concur:    Gilbert, P.J.  
                 Yegan, J.

DIVISION SEVEN

B220293      People                      (Not for Publication)  
                 v.  
                 Whitley

We remand for the limited purpose of resentencing and affirm the judgment  
in all other respects.

Woods, J.

We concur:    Perluss, P.J.  
                 Zelon, J.

July 26, 2010 (Continued)

## DIVISION EIGHT

B216992      H.J. Bryant, et al.,      (Not for Publication)  
v.  
T.L. Jenkins  
Estate of Cordell Jenkins, Deceased.

The judgment is affirmed. Respondents are awarded costs on appeal.

Bigelow, P.J.

We concur: Flier, J.  
Grimes, J.

B212594      Pedro Perez, et al.,                      (Not for Publication)  
v.  
Pacific Rim Transport, Inc.,

The judgment is reversed. The cause is remanded to the trial court with directions to vacate its orders granting PRTI's motion for SAI and granting PRTI's motion for JOP without leave to amend, and to enter new and different orders denying PRTI's motion for SAI and granting PRTI's motion for JOP with leave to amend. Appellants are awarded costs on appeal.

Bigelow, P.J.

We concur: Rubin, J.  
Grimes, J.